

SWM00-3410 Initials of Magistrate _____

State of California)
County of Merced) -

IN THE SUPERIOR COURT
MERCED COUNTY
2015 NOV -6 PM 2:39

Affidavit of Search Warrant
MCSO CASE 2015-38655

Detective Jose Silva swears under oath that the facts expressed by him in this Search Warrant and Affidavit and in the attached and incorporated statement of probable cause are true and that based thereon he/she has probable cause to believe and does believe that the property and/or persons described below is lawfully seizable pursuant to Penal Code Section 1524, as indicated below, and is now located at the location set forth below. Wherefore, affiant requests that this Search Warrant be issued.


Signature of Affiant

SEARCH WARRANT

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY PEACE OFFICER IN THE COUNTY OF MERCED: and/proof by affidavit having been made before me by **Detective Jose Silva** that there is probable cause to believe that the property and/or person described herein may be found at the locations set forth herein and is lawfully seizable pursuant to Penal Code Section 1524 as indicated by **XX** in that:

- ___ Stolen or embezzled property and
- XXXX** Property or things used as the means of committing a felony and
- XXXX** Property or things in the possession of any person with the intent to use them as a means of committing a public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their being discovered and
- XXX** Property or things to be seized consist of any item or constitute any evidence that tends to show a felony has been committed, or tends to show that a particular person has committed a felony and
- ___ Property or things to be seized consist of evidence that tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years of age, in violation of Penal code Section 311.11, has occurred or is occurring and
- ___ There is a warrant for the person's arrest;

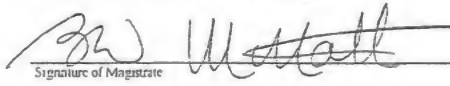
YOU ARE THEREFORE ORDERED TO SEARCH:

XX See attached and incorporated description page(s)

FOR THE FOLLOWING PROPERTY/PERSON:

XX See attached and incorporated property page(s)

AND TO SEIZE IT IF FOUND and bring it forthwith before me, or this court, at the courthouse of this court. This Search Warrant and incorporated Affidavit was sworn to as true and subscribed before me Nov 4, 2015, at 12:45 AM/PM. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

, Judge of the Superior Court, County of Merced

___ The Affidavit be sealed pending further order of Court as outlined and authorized in *People vs. Hobbs*.

Endorsement of Magistrate _____

Date and time of Warrant service _____, _____ AM/PM
DATE TIME

Description Page

YOU ARE THEREFORE ORDERED TO MAKE SEARCH,

On and in the premise, structures, rooms, outbuildings, and receptacles situated at:

University of California Merced, 5200 Lake Road, Merced Ca 95343,
██████████ in the ██████████ Building (corner of
Muir Pass and Scholars Lake, unincorporated area of Merced, County of
Merced, State of California.

The building named, ██████████, is further described as a two-story building with peach color stucco and tan tile with gray tile roof. The main entrance is located on the south wall of the building.

Dorm room ██████████ is located on the second floor of the building. It has a brown wooden door with ██████████ clearly marked.

And the vehicle(s) described as: Any vehicles located on the property at the time of warrant service and found to be associated with Faisal Mohammad.

And the person(s) of: Faisal Mohammad, ██████████, male adult, described as 5'10, 141 lbs, black hair and brown eyes. California ██████████

And the person(s) of: ██████████, d.o.b. ██████████, male adult, described as 5'11", 117 lbs, black hair and brown eyes, California DL ██████████.

And the person(s) of: Any persons located on the property at the time of warrant service and found to be associated with the property.

PROPERTY PAGE**OR THE FOLLOWING PROPERTY AND THINGS CONSISTING OF:**

XX Any firearms and/or firearm accessories including, but not limited to, miscellaneous firearm pieces, firearm ammunition, expended firearm cartridges, original box or packaging, firearm purchase receipts, firearm storage containers, firearm cleaning items or kits, photographs of firearm, or any other items which would tend to establish ownership or possession of these firearms.

XX Any and all items which would constitute items commonly known as "Muslim extremist." Muslim extremist/ terrorist group paraphernalia, including, but not limited to photographs, drawings, recordings, objects, logos, monikers, slogans, writings, items with Muslim extremist/ terrorist group markings; this paraphernalia or indicia to include any items showing membership, affiliation, activity or identity with Muslim extremist/ terrorist group.

XX Items and paraphernalia that would tend to demonstrate the subject's ongoing gang affiliation including but not limited to graffiti, notebooks, photographs, sketches, and poetry. Muslim extremist/ terrorist group related paraphernalia typically retained by members can also appear in other forms, including but not limited to, newspapers, artwork, compact disks, audio and videocassettes, cameras, undeveloped files, address books, telephone lists, graffiti collections and magazines. Evidence of gang affiliation can be found within the contents of a "smartphone" which by definition and through modern day technology has the ability to store data, photographs, address lists, audio and video recordings. A "smartphone" in addition has the capacity to store music, artwork, and communications in the form of e-mails and messages which may serve as evidence of gang activity and or involvement.

XX Any items tending to establish the identity of persons who have dominion and control of the location, premises, automobiles, or items to be seized, including delivered mail, whether inside the location or in the mail box/s, bills, utility bills, telephone bills, miscellaneous addressed mail, personal letters, personal identification, purchase receipts, rent receipts, sales receipts, tax statements, payroll check stubs, keys and receipts for safe deposit box(s), keys and receipts for

rental storage space, keys and receipts for post office box or mail drop rentals, ignition keys, car door and trunk keys, vehicle ownership certificates or "pink slips," and/or vehicle registration slips, recordation of voice transmissions on telephone answering machines, audio tapes and telephone message receipt books, and written phone messages, and photographs tending to show occupation of the residence / business and connection between co-conspirators, whether identified, or unidentified, also digital pagers which will document telephone numbers of co-conspirators, and if found, to activate the digital pagers' display mechanism and to obtain messages from the pagers, answering machines, tape recorders, and any other recording devices, and to play such devices to obtain their messages. Any examples of handwriting including letters, address books, business records, canceled checks, notes, and/or lists.

XX Investigating officers are authorized, at their discretion, to seize all "computer systems," "computer program or software," and "supporting documentation" as defined by Penal Code section 502, subdivision (b), and any associated peripherals that are believed to contain some or all of the evidence described in the warrant, and to conduct an off site search of the seized items for the evidence described. Investigating officers and those agents acting under the direction of the investigating officers are authorized to access all computer data to determine if the data contains "records" and "information" described above. If necessary, investigating officers are authorized to employ the use of outside experts, acting under the direction of the investigating officers, to access and preserve computer data. The investigating officer has 120 days from the date of seizure to determine if the seized computer systems and associated peripherals contain some or all of the evidence described in the warrant.

XX Peace Officers or assigned representatives are authorized, during the execution of this Search Warrant, to video tape, photograph and/or take digital images, at the discretion of the Searching Officers, inside and outside of the location, any and all items and/or vehicles at the location, in addition, can identify and photograph and/or digital image all persons present at the Search Warrant location during the period of execution of this Search Warrant.

YOUR AFFIANT SAYS THAT THE FACTS IN SUPPORT OF THE ISSUANCE OF THE SEARCH WARRANT ARE AS FOLLOWS:

YOUR AFFIANT, BEING DULY SWORN, DEPOSES AND SAYS THAT I, Detective Jose Silva, hereinafter referred to in the first person singular, is a deputy employed by the Merced County Sheriff's Office. I have been employed with the Merced County Sheriff's Office since June 2013. I am currently assigned to the Detectives Division, where I investigate crimes against persons and property. I have participated in the investigation of homicides, numerous felony assaults, misdemeanor assaults, and sexual assaults, possession of stolen property, narcotic offenses, domestic violence and any other crime that is presented to me in the course of my duties. Prior to joining the Merced County Sheriff's Office, your affiant was employed by Livingston Police Department (Merced County) for over 7 years where I investigated numerous crimes against persons and property. I held the following ranks during my tenure at Livingston Police Department; Patrolman, Corporal and Sergeant.

CASE SUMMARY

On Wednesday, November 4, 2015, at approximately 0751 hours, several Merced County Sheriff Deputies were dispatched to the University of California Merced (UC Merced) located at 5200 Lake Road in Merced for a report of a man stabbing people.

The reporting party advised dispatch that the suspect was last seen walking on foot and also heard a gunshot. He advised that he was with a [REDACTED] and [REDACTED] who had stab wounds and requested paramedics. Shortly after, dispatch advised that the suspect had been shot by a UC Merced police Officer.

During the course of the investigation, the suspect was identified as Faisal Mohammad [REDACTED] who resides in dorm room [REDACTED]. We also learned that Mohammad has a roommate by the name of [REDACTED] (DOB [REDACTED]).

I located [REDACTED] and during a brief interview provided me with the following information regarding Mohammad. [REDACTED] said [REDACTED] woke up this morning at approximately 0717 hours and noticed Mohammad sitting on the edge of his bed wearing a hooded sweater with the hood over his head and wearing his backpack. Mohammad did not say anything; he was just staring out the window. [REDACTED] got ready for work and left the dorm at approximately 0735 hours and said Mohammad was still sitting on the edge of the bed not saying anything just staring out the window.

[REDACTED] described Mohammad as a loner and an extreme Muslim. [REDACTED] said [REDACTED] but that Mohammad was "way out there" and was not surprised by the incident. [REDACTED] described an incident where a friend of his asked Mohammad what would happen if he touched the mat he used for praying and Mohammad replied, "I will kill you". [REDACTED] told me that is not a normal reaction for a normal Muslim. [REDACTED] confirmed Mohammad was his roommate in dorm number [REDACTED].

Through prior training, education, and experience I know that articles of personal property help establish the identity of the person(s) in control of the premise. I am also aware that any type of receipts, mail envelopes, utility company receipts, address books, real estate documents, tax returns, bank accounts, loan applications, income and expense records, safe deposit box keys, property acquisitions, and notes can lead to and show the true identity of the person(s) in control of the premise that is being searched. Personal identification will identify and show identities of the person(s) to be searched in the premise.

Based upon my training and experience it is my opinion that the person listed on this Search Warrant, or its attachments, has committed, and is engaged in an ongoing act, or crime(s) of PC 245(a)(1), assault with a deadly weapon and that evidence of these crimes will be found at the premise(s), vehicle(s) and/or person(s) listed on this Search Warrant.

Based upon my training, education, experience and the facts contained within this affidavit, I believe that the crime of 245(a)(1) PC, assault with a deadly weapon was committed. In addition, I believe that all or part of the property described on the attached property page will be located at the residence, located at University of California Merced, 5200 Lake Road, Merced California 95343 in dorm room [REDACTED]. I believe it is common for suspects to store other weapons, journals, computers, planners, and propaganda detailing their crimes. Wherefore, I pray that a search warrant be issued, based upon the above facts, for the seizure of said property.



Merced County Sheriff's Department
STATE OF CALIFORNIA, COUNTY OF MERCED
INVENTORY RETURN OF SEARCH WARRANT
NOTICE OF SERVICE TO SEARCH WARRANT



Detective J Silva, being sworn, says that he/she conducted a search pursuant to the below described search warrant: Case/Docket # 15-38655, Issuing Magistrate Judge McNatt of the Superior Court, County of Merced, Date of Issuance 11/04/15 Date of Service 11/04/15 and searched the following locations vehicle(s), and person(s):

5200 LAKE ROAD, MERCED CA 95343, [REDACTED] BUILDING
DORM ROOM [REDACTED]

Item #	Description of item	Location Seized From	Deputy
1	HP PAVILION LAPTOP SER# 5CD5351P55	TABLE DRAWER	SILVA 5142
2	DELL LAPTOP SER# 3278877801849	BLACK BACKPACK	SILVA 5142
3	MISC PAPERWORK (HOMEWORK)	DRESSER DRAWER	SILVA 5142
4	MANIFESTO ON TWO PIECES OF PAPER	GARBAGE CAN	SILVA 5142
5	2 EQUATE PETROLEUM JELLY CAN LIDS	GARBAGE CAN	SILVA 5142
6	13 OUNCE PETROLEUM JELLY CAN	GARBAGE CAN	SILVA 5142
7	13 OUNCE PETROLEUM JELLY CAN	GARBAGE CAN	SILVA 5142
8	USB THUMBDRIVE "UC MERCED"	DRESSER DRAWER	SILVA 5142
9	SANDISK USB THUMBDRIVE 8GB	DRESSER DRAWER	SILVA 5142
10	GORILLA WRAPPER FOR BLACK DUCT TAPE	GARBAGE CAN	SILVA 5142
11	LARGE BLACK ZIPTIES (PIECES)	GARBAGE CAN	SILVA 5142
12	"SERIOUS" BRAND ZIPTIES 50 PK	GARBAGE CAN	SILVA 5142
13	AL QURAN BOOK	DESK KEYBOARD DRAWER	SILVA 5142
14	PACKAGE CONTAINING BALACLAVA	UNDER THE BED	SILVA 5142

I further swear that this is a true and detailed account of all the property taken by me pursuant to the search warrant, and that pursuant to Penal Code Section 1528 and 1536 this property will be retained in my custody, subject to the order of this court or any other court which the offense in respect to which the seized property is triable. For further information regarding this search warrant, contact DET CETIVE J SILVA at (209) 385-7472


Signature of person seizing property

11/4/15
Date

Pursuant to California Penal Code Sections 1539 and 1540, you may file a written motion in the court of the above mentioned magistrate who issued the search warrant, seeking return of the property seized pursuant to this warrant.



Merced County Sheriff's Department
STATE OF CALIFORNIA, COUNTY OF MERCED
INVENTORY RETURN OF SEARCH WARRANT
NOTICE OF SERVICE TO SEARCH WARRANT



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5200 LAKE ROAD, MERCED CA 95343 . [REDACTED] BUILDING
DORM ROOM [REDACTED]

Item #	Description of item	Location Seized From	Deputy
15	AMAZON BOX WITH RECEIPT	UNDER THE BED	SILVA 5142
16	AMAZON BOX W/ KNIFE PACKAGE & SHARP	UNDER THE BED	SILVA 5142
17	PRIORITY MAIL PACKAGE FROM USP SERV	ON TOP OF BED	SILVA 5142
18	KNIFE SHARPENER	TOP OF DRESSER	SILVA 5142
19	PACKAGE WITH 300 CT ZIPTIES	TOP OF DRESSER	SILVA 5142
20	CAR HAMMER SURVIVAL KIT PACKAGE	GARBAGE CAN	SILVA 5142
21	BROTHER PRINTER SER# U63554E5F168407	TOP OF DRESSER	SILVA 5142
22	DOCUMENT FOUND ON PRINTER'S SCANNER	TOP OF DRESSER	SILVA 5142
23	BLACK LG CELL PHONE	DRESSER DRAWER	SILVA 5142
24	RED PRAYER RUG	FLOOR	SILVA 5142
25	SILVER SHEET METAL SPOOL	DRESSER DRAWER	SILVA 5142

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[Signature]
Signature of person seizing property

11/4/15
Date

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